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U.S. DISTRICT JUDGE
S.D.N.Y.

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March 17, 2008

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Honorable Harold Baer, Jr.
United States District Judge
United States Courthouse
500 Pearl Street
Chambers 2230
New York, NY 10007

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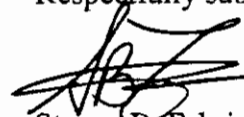
Re: *Arista Records LLC et al. v. Usenet.com, Inc.*, 07 CV 8822 (HB)

Dear Judge Baer:

Defendant's counsel is out of town and unable to write the Court directly. With the consent of defendant's counsel, plaintiffs write to inform the Court that, pursuant to the attached stipulation, defendant hereby withdraws its pending "Motion to Dismiss, or in the Alternative to Transfer this action to the District of North Dakota" (Docket Nos. 11 and 12) ("Defendant's Motion"), and has consented to personal jurisdiction and venue for the purposes of this action in the Southern District of New York. Accordingly, the parties jointly request that the Court vacate the briefing schedule for Defendant's Motion initially ordered by the Court during the January 3, 2008 hearing (Docket No. 17), and subsequently extended by Order of the Court dated February 22, 2008 (Docket No. 20).

We very much appreciate your Honor's time and consideration in this matter.

Respectfully submitted,


Steven B. Fabrizio
Counsel for Plaintiffs

Attachment

cc: Counsel for Defendant

*The PFSO posits
Dec 15, 08 for motions
I will indicate the Jan 3
of hearing + revert to the
COPTSO on 1/3/08
w/you Harold Baer
Harold Baer, Jr., U.S.D.J.
3/24/08*

Endorsement:

The PTSO posits December 15, 2008 for motions. I will vacate the January 3, 2008 hearing and revert to the PTSO as subscribed to by you on January 3, 2008.